

take weeks, or even months, before an interconnector can train all the required LEC employees.

MCI recommends that the Commission limit the number of LEC technicians that the LECs are allowed to require interconnectors to train 3 to no more than 3 per central office, where an interconnector has designated equipment different than that used by the LEC. It should be up to the interconnector to decide whether to train additional LEC personnel. It should not be up to the LEC.

It is clear that SWBT, and most probably other LECs, see excessive training expenses as a means to drive up rates charged by interconnectors for similar services. SWBT blatantly states that “charges for such training could be recovered by the interconnector through its charges to its customers.”<sup>24</sup> This is a clear example of a LEC attempting to implement what the Commission has referred to as a “price squeeze.” In the May 11, 1995, Report and Order, the Commission expressed its concern that “a monopoly provider of an essential service to a rival can subject its rival to a “price squeeze.”<sup>25</sup> The Commission went on to explain that “[r]aising rivals’ costs can be a profitable and inexpensive

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<sup>24</sup> SWBT Direct Case at p. 25.

<sup>25</sup> Report and Order at ¶71.

strategy for vertically integrated firms that control essential facilities needed by its rivals."<sup>26</sup>

The Commission should limit the number of LEC employees that an interconnector is required to train per central office. It should not allow LECs to inflate the costs of interconnection nor delay the emergence of competition through terms and conditions that dictate how and to what extent training must be provided.

#### **X. Installation, Service, and Repair Intervals Should Be Tariffed**

The Bureau's Phase II Designation Order requires the LECs to explain their installation intervals for interconnector-designated equipment and to discuss whether it would be reasonable to notify interconnectors of LECs' specific maintenance and repair intervals by including appropriate language in their tariffs. MCI urges the Commission to require LECs to tariff all installation, service, and repair intervals. Based on MCI's experience, the LECs have used the vague terms and conditions referenced in their tariffs to delay the emergence of competition.

MCI's virtual collocation operations, for example, are often delayed by US West because US West continually misses or extends its provisioning deadline. MCI has had to wait 9 months for US West to provision an arrangement which

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<sup>26</sup> Id.

other LECs have routinely provisioned in only 2-3 months. Furthermore, as is illustrated by the attached letter, US West will, for no apparent reason, take anywhere from 4.5 weeks to 9.5 weeks to install the same type of equipment. Such delays make it impossible for an interconnector to predict when it can offer service to its customers.

MCI urges the Commission to require LECs to tariff specific provisioning, service, and repair intervals, and require the LECs to pay a penalty if these intervals are missed. Based on MCI's experience with the LECs' lax and unpredictable provisioning intervals, MCI sees no reason to believe that, without specific tariffed requirements, LECs' service and repair intervals will not disadvantage interconnectors, vis a vis the LECs's own services. Tariffing all such intervals will not adversely impact LEC's which intend to offer consistently satisfactory provisioning. Simultaneously, such specific tariff language will help to prevent LECs that may want to delay competition, from doing so.

#### **XI. LEC Reporting Requirements Should be Expanded**

To aid the Commission in assessing the development of Competition in the local telecommunications access markets, the Commission should require LECs to provide more detailed, more frequent, informational reports. These reports, which should be filed on the public record, will not only substantiate claims of anticompetitive abuses, but may also offer insight as to how much, and when, pricing and regulatory flexibility should be afforded to a particular LEC.

Specifically, MCI urges the Commission to require that LECs file on the public record the number of DS-1 cross-connects or DS1-equivalents that have been taken by interconnectors at each central office. It is not important which interconnectors have taken these cross connects. However, it is important that such a report be accurate, and filed quarterly. Without such a report, there is no way to measure, predict, or validate, LECs' claims that they have met the threshold requirements which allow them to offer volume and term discounts.

MCI also recommends that the LECs file semi-annual Quality of Service reports. These reports, at a minimum, should show the provisioning, service, and repair intervals for each LEC in each central office, and the frequency and amount of time by which such intervals were missed or extended. Not only would such a report hold LECs accountable, but it will aid the Commission assess the level of competition in each study area.

**XII. LECs Should Be Required To Roll Circuits Over at Whatever Level Is Requested**

MCI urges the Commission to require the LECs to roll over circuits to interconnector facilities at the level requested by the interconnector (e.g., at the DS-3 level). The Commission should also prohibit LECs from requiring that interconnectors write Access Service Records ("ASRs") at the DS-1 or DS-0 level when ASR's at the DS-3 level are sufficient. Both requirements

unnecessarily delay the emergence of competition and reduce the benefits interconnection offers endusers.

Currently, some LECs are requiring interconnectors that have requested that a DS-3 circuit be physically changed to its collocation facility, change these circuits over at the DS-1 level. Also, in addition to requiring full entrance audits, many of the LECs insist that interconnectors write ASRs at the DS-1, or sometimes even at the DS-0 level, to move traffic from existing entrance facilities onto the collocated equipment. The LECs contend that ASRs are needed at the DS-1 or DS-0 level so that they can update their billing system accurately.

If an interconnector informs a LEC that it wants to roll an entire DS-3 from the LEC's facilities to the interconnector's facilities, the LEC should already know which DS-1s and DS-0s are part of that DS-3, and thus, which circuits will be moved. The interconnector should not be required to inventory each DS-1 or DS-0 which will be moved. Furthermore, it has been MCI's experience that LEC standard operating procedures for their own comparable DS-1 and DS-3 services do not require customers to write ASRs. Typically, the LECs writes the ASRs.

With DS-3 level rolls and DS-3 level ASRs, interconnectors could complete a project with 30 DS-3s in less than 2 months (the physical rolls could all take place in one night). Under the current mode of operation, it could take close to a year to accomplish the same rolls. The Commission should not permit the LECs to unnecessarily delay competition from developing.

### **XIII. Conclusion**

The LECs have failed in their Direct Cases to justify that their proposed virtual collocation rates, terms, and conditions are just and reasonable.

Moreover, the LECs have not demonstrated that their rates, terms and conditions are cost based, nor are representative of "comparable" DS-1 and DS-3 services.

Thus, for the above-stated reasons, the Commission should (1) reduce the RAFed rates by amounts already recovered through other access rates; (2) require all LECs to file all information in support of their Direct Cases on the public record; (3) subject the LECs offering virtual collocation services to more stringent reporting requirements which will allow the Commission to more readily assess the development of competition in local telecommunications markets; and (4) order any LEC that failed to comply with the Commission's Phase II Designation Order in its entirety to either do so immediately, or show cause why it believes itself to be above the law.

Respectfully submitted,  
MCI TELECOMMUNICATIONS CORPORATION



Don Sussman  
Regulatory Analyst  
1801 Pennsylvania Ave., NW  
Washington, D.C. 20006  
(202) 887-2779

November 9, 1995



9521 Leesburg Pike  
Vienna, VA 22182

November 3, 1995

Ms. Hope Harbeck  
Southwestern Bell Telephone  
One Bell Plaza, Room 0551.06  
208 South Akard Street  
Dallas, TX 75202

Dear Hope:

To prevent installation delays, we have submitted the required 50% down payment for each of the collocation projects in Houston, TX. As you are aware, we have serious concerns regarding the training requirements.

You've stated in your quotations that twelve technicians will require training for the collocation at the Houston Capital Central Office (CO) and six will require training for the Houston National CO. We disagree with both of these numbers and feel that three trained per CO is not only reasonable but much more in line with industry standards.

Please respond in writing to this concern by November 13, 1995. I can be reached on 703-918-6133 with any questions.

Sincerely,

A handwritten signature in dark ink, appearing to read "John A. Currans". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

John A Currans  
Project Manager  
MCI metro

CC: Maria Marzullo MCI metro



8521 Leesburg Pike  
Vienna, VA 22182

October 26, 1995

Ms. Judy Barkley  
US West Communications, Inc.  
1801 California Street, Room 2150  
Denver, CO 80202

Dear Judy:

To prevent installation delays, I have submitted the required 50% down payment for each of the collocation projects in progress (Seattle, Denver, Minneapolis, Phoenix and Portland). As you are aware, we have serious concerns regarding the calculation of the collocation costs - and in particular the inconsistencies with respect to the engineering and installation resources required. We first raised these concerns with you in our phone conversation of October 5th and we eagerly await your explanation of the inconsistencies with the collocation cost quotations.

As discussed, the VEIC Engineering and Equipment half hour quantities differ greatly from collo to collo, even when the exact same equipment is being installed (see matrix below).

	<b>SEATTLE</b>	<b>MINNEAPOLIS</b>	<b>PHOENIX</b>	<b>DENVER</b>	<b>PORTLAND</b>
<b>OC48 EQUIP TYPE</b>	Fujitsu	Fujitsu	Fujitsu	NTI	NTI
<b># TO BE INSTALLED</b>	2	2	1	2	1
<b>VEIC ENG 1/2 HRS</b>	80	160	120	160	120
<b>VEIC EQUIP 1/2 HRS</b>	280	608	335	570	335

You stated that the half hour quantities were 'backed into' by determining the final installation cost and dividing that by the half hour dollar amount. How were these final costs obtained? What charges were figured into the final cost?

Please respond to these concerns as soon as possible. I can be reached on 703-918-6133 with any questions.

Sincerely,

John A Currens  
Project Manager  
MCImetro

CC: Maria Marzullo MCImetro



STATEMENT OF VERIFICATION

I have read the foregoing and, to the best of my knowledge, information, and belief, there is good ground to support it, and it is not interposed for delay. I verify under penalty of perjury that the foregoing is true and correct. Executed on November 9, 1995.

A handwritten signature in black ink, appearing to read 'Don Sussman', with a long horizontal flourish extending to the right.

Don Sussman  
1801 Pennsylvania Avenue, NW  
Washington, D.C. 20006  
(202) 887-2779

## **CERTIFICATE OF SERVICE**

**I, Stan Miller, do hereby certify that copies of the foregoing Opposition to Direct Cases were sent via first class mail, postage paid, to the following on this 9th day of November 1995.**

**James H. Quello\*\*  
Commissioner  
Federal Communication Commission  
Room 802  
1919 M Street, NW  
Washington, DC 20554**

**Reed E. Hundt\*\*  
Chairman  
Federal Communication Commission  
Room 814  
1919 M Street, NW  
Washington, DC 20554**

**Rachelle E. Chong\*\*  
Commissioner  
Federal Communication Commission  
Room 844  
1919 M Street, NW  
Washington, DC 20554**

**Andrew C. Barrett\*\*  
Commissioner  
Federal Communication Commission  
Room 826  
1919 M Street, NW  
Washington, DC 20554**

**Susan P. Ness\*\*  
Commissioner  
Federal Communication Commission  
Room 832  
1919 M Street, NW  
Washington, DC 20554**

**Regina Keeney\*\*  
Chief, Common Carrier Bureau  
Federal Communications Commission  
Room 500  
1919 M Street, N.W.  
Washington, D.C. 20554**

**Kathleen Levitz\*\*  
Federal Communications Commission  
Room 500  
1919 M Street, N.W.  
Washington, D.C. 20554**

**Geraldine Matise\*\*  
Acting Chief, Tariff Division  
Federal Communications Commission  
Room 518  
1919 M Street, N.W.  
Washington, D.C. 20554**

**Ann Stevens\*\*  
Tariff Division  
Federal Communications Commission  
Room 518  
1919 M Street, N.W.  
Washington, D.C. 20554**

**David Nall\*\*  
Deputy Chief, Tariff Division  
Federal Communications Commission  
Room 518  
1919 M Street, N.W.  
Washington, D.C. 20554**

**Judy Nitsche\*\***  
Policy Division  
Federal Communications Commission  
Room 514  
1919 M Street, N.W.  
Washington, D.C. 20554

**Peggy Reitzel\*\***  
Federal Communications Commission  
Room 544  
1919 M Street, N.W.  
Washington, D.C. 20554

**Mika Savir\*\***  
Tariff Division  
Federal Communications Commission  
Room 518  
1919 M Street, NW  
Washington, DC 20554

**Paul D'Ari\*\***  
Tariff Division  
Federal Communications Commission  
Room 518  
1919 M Street, NW  
Washington, DC 20554

**International Transcription Service\*\***  
1919 M Street, NW  
Washington, DC 20554

**Andrew D. Lipman**  
**Jonathan E. Canis**  
Attorneys for MFS Communications  
Company Inc.  
Swidler & Berlin Chartered  
3000 K Street, NW, Suite 300  
Washington, DC 20007-5116

**Brian Conboy**  
**John L. McGrew**  
**Melissa E Newman**  
Wilkie Farr & Gallagher  
Attorneys for Time Warner  
Communications Holding Inc.  
Three Lafayette Centre  
1155 21st Street, NW Suite 600  
Washington, DC 20036

**J. Manning Lee**  
Vice President-Regulatory Affairs  
Teleport Communications Group Inc  
2 Teleport Drive, Suite 300  
Staten Island, NY 10311

**Richard Metzger**  
Counsel for Association for Local  
Telecommunications Services  
Pierson & Tuttle  
1200 19th Street, NW  
Suite 607  
Washington, DC 20036

**Jonathan E Canis**  
**Dana Frix**  
Attorneys for Lightwave LTD  
Swidler & Berlin Chartered  
3000 K Street, NW Suite 300  
Washington, DC 20007-5116

**Russel Blau**  
**Jonathan E Canis**  
Attorneys for Cablevision Lightpath Inc.  
Swidler & Berlin Chartered  
3000 K Street, NW Suite 300  
Washington, DC 20007-5116

**ADC**  
**Kathie MiKucki**  
4900 W 78th Street  
Minneapolis, MN 55435

**NEC America Inc**  
**Alfred Lipperini**  
**14040 Park Center Road**  
**Herndon, VA 22071**

**Fujitsu Network Transmission Systems**  
**Bob Zuccaire**  
**2801 Telecom Parkway**  
**Richardson, TX 75082**

**TELLABS**  
**Don Gutzmer**  
**4951 Indiana Avenue**  
**Lisle, IL 60532**

**AT&T**  
**Piper Kent-Marshall**  
**4450 Rosewood Dr. RM 5460**  
**Pleasanton, CA 94588-3050**

**Reliance COMM/TEC**  
**Dave Grannel**  
**Law Department**  
**6065 Parkland Blvd.**  
**Cleveland, OH 44124-6106**

**Alcatel Network Systems Inc**  
**Dennis Kraft**  
**1225 North Alma Road**  
**Richardson, TX 75081**

**Northern Telecom**  
**Paul Dejongh**  
**40001 East Chapel Hill-**  
**Nelson Highway**  
**Research Triangle Park, NC 27709**

**Frank Panek**  
**Ameritech Operating Companies**  
**Room 4H84**  
**2000 West Ameritech Center Drive**  
**Hoffman Estates, IL 60196**

**Lawrence W. Katz**  
**Bell Atlantic Telephone Companies**  
**1320 North Courthouse Road**  
**Arlington, VA 22201**

**William Baskett Frost & Jacobs**  
**2500 Central Trust Center**  
**201 East Fifth Street**  
**Cincinnati, OH 45202**

**Gail Polivy**  
**Daniel L. Bart**  
**GTE Service Corporation**  
**Suite 1200**  
**1850 M Street, NW**  
**Washington, DC 20036**

**Thomas A. Pajda**  
**Robert M. Lynch**  
**Richard C. Hartgrove**  
**Durward D. Dupre**  
**Attorneys for**  
**Southwestern Bell**  
**Telephone Company**  
**One Bell Center, Suite 3520**  
**St. Louis, Missouri 63101**

**Cindy Z. Schonhaut**  
**MFS Communications Company, Inc.**  
**3000 K Street, NW, Suite 300**  
**Washington, DC 20007**

**M. Robert Sutherland**  
**Richard M. Sbaratta**  
**Helen A. Shockey**  
**BellSouth Telecommunications, Inc.**  
**4300 Southern Bell Center**  
**675 West Peachtree Street, NE**  
**Atlanta, GA 30375**

**Richard McKenna**  
**GTE Service Corporation**  
**HQE03J36**  
**P.O. Box 152092**  
**Irving, TX 71015-2092**

Jay C. Keithly  
United Telecommunications, Inc.  
Suite 1110  
1850 M Street, NW  
Washington, DC 20036

Diana R. Stafford  
The Sprint LECS  
P.O. Box 11315  
Kansas City, MO 64112

C. Dean Durtz  
Central Telephone Company  
8745 Higgins Road  
Chicago, IL 60631

Leon M. Kestenbaum  
H. Richard Juhnke  
Sprint Communications, L.P.  
11th Floor  
1850 M Street, NW  
Washington, DC 20036

Heather Burnett Gold  
Association for Local  
Telecommunications Services  
Suite 607  
1200 19th Street, NW  
Washington, DC 20036

W. Richard Morris  
United Telephone Companies  
POB 11315  
Kansas City, MO 64112

Theodore D. Frank  
Vonya B. McCann  
Arent, Fox, Kinter, Plotkin, & Kahn  
1050 Connecticut Avenue, NW  
Washington, DC 20036-5339

Joe Ader  
Bellcore  
2101 L Street, NW 6th Floor  
Washington, DC 20037

Michael S. Pabian  
Attorney for Ameritech  
Room 4H82  
2000 West Ameritech Center Drive  
Hoffman Estates, IL 60196-1025

William D. Baskett III  
Thomas E. Taylor  
David S. Bence  
Cincinnati Bell Telephone  
Frost & Jacobs  
2500 PNC Center  
201 East Fifth Street  
Cincinnati, OH 45201-5715

Kathryn Marie Krause  
Attorney for  
US West Communications, Inc.  
Suite 700  
1020 19th Street, NW  
Washington, DC 20036

**Hand Delivered\*\***

A handwritten signature in cursive script that reads "Stan Miller". The signature is written in dark ink and is positioned above a horizontal line.

Stan Miller